

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

RANDY JAY SPENCER,

Debtor.

: Case No. 24-10166-JCM
: Chapter 13
: Related to Doc. No. 72

ORDER

AND NOW, this ***21st*** day of ***January, 2025***, for the reasons stated at the hearing held this date on the contested ***Chapter 13 Plan*** (Doc. 72), that the Debtor has failed to comply with the Chapter 13 Trustee's repeated requests to provide appraised values for certain properties, has failed to timely file §506 actions that are integral to the Plan, and has failed to file required monthly operating reports, and further, the Amended Chapter 13 Plan (Doc. 113) filed today, hours before the hearing, contemplates a monthly payment of \$3,600.00 which the Court finds is a bad faith proposal since the monthly payment is well beyond the limits of feasibility for this Debtor and no additional evidence of feasibility was filed or offered at the hearing, aside from a vague reference to possible assistance from a third party, it is hereby ***ORDERED, ADJUDGED, and DECREED*** that ***effective January 21, 2025***,

(1) The above-caption case is ***DISMISSED, without prejudice***. The Debtor remains legally liable for all his debts as if the bankruptcy petition had not been filed. Creditor collection remedies are reinstated pursuant to *11 U.S.C. §349*. Creditors are directed to *11 U.S.C. §108(c)* for time limits on filing a lawsuit to collect. Generally, a creditor's lawsuit must be filed either before the time deadline imposed by state law for filing runs, or (30) thirty days after date of this Order, whichever is later.

(2) Each income attachment issued in this case is now terminated. So that each employer and entity subject to an attachment order knows to stop the attachment, the Debtor shall immediately serve a copy of this Order on each such employer and entity.

(3) The Court retains jurisdiction over the Trustee's Report of Receipts and Disbursements and Final Report and Account. Upon submission of the UST Form 13-FR-S: Chapter 13 Standing Trustee's Final Report and Account, the Trustee is discharged from her duties in this case and this case will be deemed closed without further order of Court.

(4) The Clerk shall give notice to all creditors of this dismissal.



John C. Melaragno, Judge
United States Bankruptcy Court

SIGNED

1/21/25 4:35 pm

CLERK

U.S. BANKRUPTCY
COURT - WDPA

Case Administrator to serve:

All Creditors and Parties in Interest